

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FELIX GUZMAN RIVADENEIRA,

Plaintiff,

v.

DEPARTMENT OF HOMELAND  
SECURITY, ET AL.,

Defendant.

NO: 2:15-CV-186-RMP

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING ACTION

Magistrate Judge Rodgers filed a Report and Recommendation on October 1, 2015, recommending this action be dismissed pursuant to 28 U.S.C. § 1406(a), ECF No. 4. Pursuant to 28 U.S.C. § 1391(b), venue is not proper in this district, and the Court found that it would not serve the interests of justice to transfer this action to the Northern District of Illinois (Chicago).

Plaintiff has filed no fewer than sixty identical lawsuits in the district courts throughout the United States since June 10, 2015, some of which were transferred to the Northern District of Illinois and dismissed as duplicative. *See e.g.*, Northern District of Illinois (Chicago) cause number 1:15-cv-06147, order administratively closing case filed July 14, 2015, ECF No. 10.

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1 The “lead” case in the Northern District of Illinois, cause number 1:15-cv-  
2 05552, was then dismissed with prejudice on August 31, 2015, in part because  
3 Plaintiff had “engaged in vexatious and needlessly multiplicitous litigation  
4 concerning the issues he assert[ed] in [that] action.” ECF No. 9 at 3; *See Headwaters*  
5 *Inc. v. U.S. Forest Service*, 399 F.3d 1047, 1051 n. 3 (9th Cir. 2005) (“Materials  
6 from a proceeding in another tribunal are appropriate for judicial notice”) (internal  
7 quotation marks and citation omitted).

8 Mail sent to Plaintiff at the McHenry County Jail in Woodstock, Illinois, was  
9 returned as undeliverable, *See* ECF No. 5.

10 Objections to the Report and Recommendation were to be filed no later than  
11 October 15, 2015. There being no objections, the Court **ADOPTS** the Report and  
12 Recommendation, ECF No. 4. This action is **DISMISSED** pursuant to 28 U.S.C. §  
13 1406(a).

14 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
15 Order, enter judgment, forward copies to Plaintiff at his last known address, and  
16 close the file.

17 **DATED** this 29th day of October 2015.

18  
19 s/ Rosanna Malouf Peterson  
ROSANNA MALOUF PETERSON  
Chief United States District Court Judge